

Docket No.: 50179-080

PCT *#14*
9-26-01
NW
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

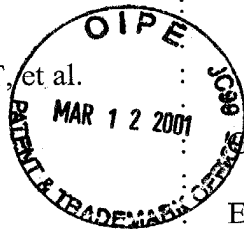
In re Application of

Himanshu N. BRAHMBHATT, et al.

Serial No.: 09/530,772

Filed: June 30, 2000

For: SUICIDE EXPRESSION VECTOR FOR USE IN VACCINE STRAINS



Group Art Unit:

Examiner: Paula McCray

RECEIVED

SEP 24 2001

TECH CENTER 1600/2000

REQUEST FOR FILING RECEIPT

Commissioner for Patents
Washington, DC 20231

Sir:

The above-referenced patent application was filed in the U.S. Patent and Trademark Office on May 4, 2000, as evidenced by the attached copies of the return receipt postcard and Transmittal Letter. To date, the undersigned has not received an official Filing Receipt regarding this application. It is respectfully requested that the undersigned be furnished with an official Filing Receipt as soon as possible.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

A handwritten signature in cursive script, appearing to read "Robert L. Price".

Robert L. Price

Registration No. 22,685

600 13th Street, N.W.
Washington, DC 20005-3096
(202) 756-8000 RLP:prp
Date: March 12, 2001
Facsimile: (202) 756-8087

Applicant: Himachal Pradesh Sahitya Akademi Docket No. 5079-080 09/53011

Title/Mark: Suicide Expression Serial/Reg./Patent No. _____

Date Sent: 5/4/00 ☒ Hand Carried ☐ 1st-Class Mail ☐ Cert. of Mailing ☐ Express Mail No. _____

☒ Transmittal Letter

☒ Utility/Design/Continuation/CIP/FWC/Divisional/PCT

☒ Other: National Phase

19 pages of Specification

13 pages of Claims

11 pages of Abstract

11 pages of Formal/Informal Drawings

☒ Information Disclosure Statement

1 Form PTO 1449

5 copies of cited references

☒ Preliminary Amendment

☐ Response to Missing Parts Notice

☐ Certified Copy of Priority Doc.

☐ Claim for Convention Priority

☐ Verified Statement of Small Entity Status

☐ Transmittal of Issue Fee: Form PTO 85b _____ Form PTO 85C _____

☐ Maintenance Fee for _____ years after grant

☐ Notice of Appeal ☐ Appeal Brief

☐ Recordation of _____ Patent _____ Trademark: Assignments/Security Agreements/ _____

☐ Response/Amendment to Office Action of _____ ☐ Petition to Commissioner for _____

☐ Trademark/Service Mark/Intent-To-Use Application

☐ Amendment to Allege Use ☐ Statement of Use

☐ Formal/Informal/Substitute Drawing Sheet

(no. of) Substitute/Specimens

☐ Continued Use Affidavit/Declaration (Section 8 & 15)

☐ Notice of Opposition/Answer to _____

☐ Ex Parte Appeal

☐ Petition for Cancellation/ Answer to _____

☐ Renewal of Reg. No. _____

☐ Combined Declaration/Power of Attorney

☐ Letter of Protest

☐ Request for _____-day/month Extension of Time

Other: _____

Check for \$ _____ ☒ Total Deposit Account charge for \$ 1100 Attorney: R. L. P. dts

Acct #500417

☐ CHI ☒ WASH

S, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.

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SEP 24 2001

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**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

50179-080

U.S. APPLIC. NO. (if known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.

PCT/AU98/00930

INTERNATIONAL FILING DATE

November 6, 1998

PRIORITY DATE CLAIMED

November 6, 1997

TITLE OF INVENTION

SUICIDE EXPRESSION VECTOR FOR VACCINE STRAINS

APPLICANT(S) FOR DO/EO/US

Himanshu N. BRAHMBHATT, Robert B. SEYMOUR, Peter H. BIRD, and Mark P. BRADLEY

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendment has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information.
 1. Copy of Published International Application
 2. International Search Report by Australian Patent Office
 3. International Preliminary Examination Report

U.S. APPLIC. NO. (if known, see 37 CFR 1.50)		INTERNATIONAL APPLICATION NO. PCT/AU98/00930		ATTORNEY'S DOCKET NUMBER 50179-080											
				CALCULATIONS	PTO USE ONLY										
17. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO \$840.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) \$670.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$690.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$970.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$96.00															
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$ 970.00											
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00											
Claims	Number Filed	Number Extra	Rate												
Total Claims	19 -20 =	0	x \$18.00	\$											
Independent Claims	1 -3 =	0	x \$78.00	\$											
Multiple dependent claim(s) (if applicable)			+ \$260.00	\$											
TOTAL OF ABOVE CALCULATIONS =				\$ 1100.00											
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$											
TOTAL NATIONAL FEE =				\$ 1100.00											
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			+	\$											
TOTAL FEES ENCLOSED =				\$ 1100.00											
				Amount to be: refunded	\$										
				charged	\$										
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>500417</u> in the amount of \$ <u>1100.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>500417</u> . A duplicate copy of this sheet is enclosed.															
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.															
SEND ALL CORRESPONDENCE TO: McDERMOTT, WILL & EMERY 600 13 th Street, N.W. Washington, DC 20005-3096 (202) 756-8000 Facsimile (202) 756-8087			<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%;">SIGNATURE</td> <td><i>Robert L. Price</i></td> </tr> <tr> <td>Robert L. Price</td> <td></td> </tr> <tr> <td>NAME</td> <td>22,685</td> </tr> <tr> <td>REGISTRATION NUMBER</td> <td>May 4, 2000</td> </tr> <tr> <td>DATE</td> <td></td> </tr> </table>			SIGNATURE	<i>Robert L. Price</i>	Robert L. Price		NAME	22,685	REGISTRATION NUMBER	May 4, 2000	DATE	
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